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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 ORUM, No. C05-00795 MJJ  
12 Plaintiff,  
13 v.  
14 CHERTOFF,  
15 Defendant.

**ORDER DENYING PLAINTIFF'S  
REQUEST FOR REINSTATEMENT OF  
APPEAL FILING FEES FOR APPEAL  
FEES PREVIOUSLY PAID**

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17 Before the Court is Plaintiff Percy Orum's ("Plaintiff") Request for Reinstatement of Appeal  
18 Filing Fees for Appeal Fees Previously Paid ("Request"). (Docket No. 88.) For the following  
19 reasons, the Court **DENIES** Plaintiff's Request.

20 On December 28, 2007, the Court granted Defendant Michael Chertoff's ("Defendant")  
21 motion for summary judgment. Plaintiff then appealed the Court's order. Rather than paying the  
22 appellate filing fees, however, Plaintiff filed this motion requesting that the Court reinstate the  
23 appellate fees Plaintiff previously paid. (Request at 1.) Specifically, Plaintiff requests that the Court  
24 reinstate the fees he paid to appeal the Court's April 6, 2006 order granting in part and denying in  
25 part Defendant's motion to dismiss.<sup>1</sup> (Docket Nos. 28-29.)

26 This Court is not aware of, nor did Plaintiff cite to, any authority suggesting that multiple  
27 appeals in a single case are subject to only one filing fee. Instead, the appellate court requires a  
28 filing fee whenever an appeal is filed, so long as the plaintiff is not *in forma pauperis* or a

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<sup>1</sup> The Ninth Circuit dismissed Plaintiff's appeal for lack of jurisdiction. (See Docket No. 30.)

**United States District Court**

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1 government entity. *See* 9TH CIR. R. 3-1. Plaintiff has not applied to proceed *in forma pauperis*.  
2 Accordingly, the Court **DENIES** Plaintiff's request.

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4 **IT IS SO ORDERED.**

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7 Dated: February 12, 2008

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MARTIN J. JENKINS  
UNITED STATES DISTRICT JUDGE